

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Joseph R. BYRUM

Appl. No.: 09/552,087

Filed: April 21, 2000

For: **Nucleic Acid Molecules and Other  
Molecules Associated with Plants**

Art Unit: 1634

Examiner: Juliet C. Switzer

Atty. Docket: 16517.132

Confirmation No. 4196

**Notice of Appeal from the Examiner to the  
Board of Patent Appeals and Interferences**

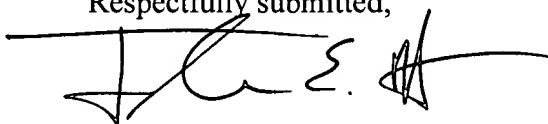
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed August 11, 2003, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fee for this filing is given in the accompanying transmittal letter.

Respectfully submitted,



David R. Marsh (Reg. Atty. No. 41,408)  
Holly Logue Prutz (Reg. Atty. No. 47,755)  
Thomas E. Holsten (Reg. Agent No. 46,098)

Date: November 10, 2003

ARNOLD & PORTER  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206  
202.942.5000 telephone  
202.942.5999 facsimile

12/03/2003 AWONDAF1 00000044 502387 09552087

01 FC:1401 330.00 DA

Image  
AF 1634

# ARNOLD & PORTER

202.942.5000  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206



November 10, 2003

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Art Unit: 1634  
Examiner: J.C. Switzer  
Conf. No.: 4196

Re: U.S. Patent Application Serial No. 09/552,087  
Filed: April 21, 2000  
Inventors: Joseph R. BYRUM  
Title: Nucleic Acid Molecules and Other  
Molecules Associated with Plants  
Atty. Docket: 16517.132

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$330.00 for filing a Notice of Appeal to Arnold & Porter Deposit Account No. 50-2387, referencing docket number 16517.132. A duplicate copy of this letter is enclosed.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing docket number 16517.132. A duplicate copy of this letter is enclosed.

Sincerely,



*David R. Marsh*

David R. Marsh (Reg. No. 41,40,  
Holly Logue Prutz (Reg. No. 47,755)

11-10-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

Enclosures